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CITY OF OAKLAND, et al.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

ANITA MIRALLE, JODII LE'GRAND
EVERETT, I; TINA SCOTT, AIYAHNNA
JOHNSON, LUCAS D. BROWN, IRVIN
JOSUE HERNANDEZ ORTEGA,

Plaintiffs,

v.

CITY OF OAKLAND, a subdivision of the State
of California; LIBBY SCHAAF; JOE
DEVRIES; DARREN ALLISON; and STEVEN
FALK,

Defendants.

Case No. 4:18-cv-06823-HSG

**JOINT NOTICE, STIPULATION, AND
ORDER TO CONTINUE DEADLINES**

Case Filed: November 9, 2018

Assigned to the Honorable Haywood Gilliam

1 **I. NOTICE OF CURRENT STATUS OF CASE**

2 Plaintiffs Anita Miralle, Jodii Le’Grand Everett, I, Tina Scott, Aiyahna Johnson, Lucas D.
3 Brown, and Irvin Josue Hernandez Ortega (collectively, “Plaintiffs”) and Defendants the City of
4 Oakland, Mayor Libby Schaaf, Assistant to the City Administrator Joe DeVries, Acting Chief of
5 Police Allison¹, and Interim City Administrator Steven Falk² (collectively, “City Defendants”) (and,
6 collectively, “Parties”) seek to provide this Court with several important updates and with a request
7 to move out case deadlines for both case management and public health reasons.

8 First, the Parties want to inform the Court that they have been working together in good
9 faith at the direction and under the supervision of Magistrate Judge Spero to determine if settlement
10 is possible in this matter. Thus, prior to the necessary changes caused by the global COVID-19
11 pandemic, the Parties intended to request some extension of the deadlines in this matter to allow for
12 those settlement efforts to continue.

13 Second, the Parties want to inform the Court that, due to that global pandemic, they have
14 stipulated to the extensions detailed below. The City’s non-essential functions are presently limited,
15 and all Parties are affected and limited by the shelter in place orders across California. The Parties
16 understand that this Court sought to keep this case on the previously-agreed schedule; the Parties
17 request that, under the circumstances described here, the Court consider approving these extended
18 deadlines.

19 **II. JOINT STIPULATION**

20 Pursuant to the Court Order of January 31, 2020, (ECF No. 88), the Court agreed to set the
21 Parties’ expert discovery deadlines as follows:

22 Exchange Opening Expert Reports: March 13, 2020

23 Exchange Rebuttal Expert Reports: March 27, 2020

24 Close of Expert Discovery: May 1, 2020

25 _____
26 ¹ On February 21, 2020, Oakland Police Department Chief Anne Kirkpatrick was replaced by
Acting Chief of Police Darren Allison. Per Fed. R. Civ. Proc. 25(d), Acting Chief Allison is
automatically substituted in his official capacity for former Chief Kirkpatrick.

27 ² On March 12, 2020, Oakland City Administrator departed and was replaced by Interim City
Administrator Steven Falk. Per Fed. R. Civ. Proc. 25(d), Interim City Administrator Falk is
28 automatically substituted in his official capacity for former City Administrator Sabrina Landreth.

The Parties have sought a continuance to the case management deadlines in this matter twice before (ECF No. 69; ECF No. 87). The Parties again seek to continue the expert discovery deadlines considering the good cause (ongoing settlement conferences, the global pandemic) described above. The Parties also seek to continue the other deadlines in this matter to the next business day after 90 days:

Event	Current Deadline	Proposed Deadline
Exchange Opening Expert Reports	March 13, 2020	June 11, 2020
Exchange Rebuttal Expert Reports	March 27, 2020	June 25, 2020
Close of Expert Discovery	May 1, 2020	July 30, 2020
Dispositive Motion Filing Deadline	June 8, 2020	September 7, 2020
Opposition Filing Deadline	July 6, 2020	October 5, 2020
Reply Filing Deadline	July 20, 2020	October 19, 2020
Dispositive Motion Hearing	August 6, 2020 at 2 pm	November 5, 2020 at 2 pm
Pretrial Conference	October 13, 2020 at 3 pm	January 12, 2021 at 3 pm
8-Day Jury Trial	November 9, 2020 at 8:30 am	February 8, 2021 at 8:30 am

With reference to the signatures below, the City Attorney's Office, the filer of this document, attests that it has on file agreements corresponding to the signatures indicated by a conformed signature (/s/) within this e-filed document.

Dated: March 18, 2020

BARBARA J. PARKER, City Attorney

By: /s/ Zoe M. Savitsky

JAMILAH A. JEFFERSON, Superv. Deputy City Attorney
ZOE M. SAVITSKY, Deputy City Attorney

Attorneys for Defendant(s)
CITY OF OAKLAND et al.

Dated: March 18, 2020

SIEGEL, YEE, BRUNNER & MEHTA

By: /s/ EmilyRose Johns

EMILYROSE JOHNS

Attorneys for Plaintiffs

Dated: March 18, 2020

HADSELL STORMER RENICK & DAI LLP

By: /s/ Theresa Zhen

THERESA ZHEN
Attorneys for Plaintiffs

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ORDER

IT IS HEREBY ORDERED that, pursuant to the stipulation of the Parties, which is recited above, and good cause in support thereof, that the deadlines for matter be reset to the following:

Event	Deadline
Exchange Opening Expert Reports	June 11, 2020
Exchange Rebuttal Expert Reports	June 25, 2020
Close of Expert Discovery	July 30, 2020
Dispositive Motion Filing Deadline	September 7, 2020
Opposition Filing Deadline	October 5, 2020
Reply Filing Deadline	October 19, 2020
Dispositive Motion Hearing	November 5, 2020 at 2 pm
Pretrial Conference	January 12, 2021 at 3 pm
8-Day Jury Trial	February 8, 2021 at 8:30 am

IT IS SO ORDERED.

Dated: March 23, 2020



Hon. Haywood S. Gilliam, Jr.
UNITED STATES DISTRICT COURT JUDGE